

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LYNNE FREEMAN,

Plaintiff,

vs.

TRACY DEEBE-ELKENANEY P/K/A
TRACY WOLFF, et al.,

Defendants.

Case No.: 1:22-cv-02435-LLS-SN

DECLARATION OF LACY H. KOONCE, III

Lacy H. Koonce, III declares as follows:

1. I am a partner with Klaris Law PLLC, attorneys for defendants Emily Sylvan Kim and Prospect Agency, LLC (the “Prospect Defendants”) in the above-captioned matter. I make this declaration in support of Defendants’ motion for summary judgment as to Plaintiff Lynne Freeman’s copyright claims and the Prospect Defendants’ motion for summary judgment on Plaintiff’s state law claims, and in opposition to Plaintiff’s motion for summary judgment.

2. Attached hereto as Exhibit A is a true and correct copy of a document produced by Plaintiff during discovery bearing Bates stamps LF178101-03. A non-redacted version of Exhibit A has been filed under seal.

3. Attached hereto as Exhibit B is a true and correct copy of a document produced by Plaintiff during discovery bearing Bates stamps LF128647-48. A non-redacted version of Exhibit B has been filed under seal.

4. Attached hereto as Exhibit C is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00189607-11.

5. Attached hereto as Exhibit D is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00184281-83.

6. Attached hereto as Exhibit E is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00187056-60.

7. Attached hereto as Exhibit F is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00156267-68.

8. Attached hereto as Exhibit G is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00156741-42.

9. Attached hereto as Exhibit H is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00149756-59.

10. Attached hereto as Exhibit I is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00150447-49.

11. Attached hereto as Exhibit J is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00150886-89.

12. Attached hereto as Exhibit K is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00150862-65.

13. Attached hereto as Exhibit L is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00152936-38.

14. Attached hereto as Exhibit M is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00148448-49.

15. Attached hereto as Exhibit N is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00134463-64.

16. Attached hereto as Exhibit O is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00156577-79.

17. Attached hereto as Exhibit P is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00155016-17.

18. Attached hereto as Exhibit Q is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00155037-38.

19. Attached hereto as Exhibit R is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00155920-23.

20. Attached hereto as Exhibit S is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00155917-19.

21. Attached hereto as Exhibit T is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00155798-99.

22. Attached hereto as Exhibit U is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00156327-29.

23. Attached hereto as Exhibit V is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00134221.

24. Attached hereto as Exhibit W is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00138021-22.

25. Attached hereto as Exhibit X is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00195585-86.

26. Attached hereto as Exhibit Y is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00195815.

27. Attached hereto as Exhibit Z is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00159810.

28. Attached hereto as Exhibit AA is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00198298-99.

29. Attached hereto as Exhibit BB is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00157612-15.

30. Attached hereto as Exhibit CC is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00157474-76.

31. Attached hereto as Exhibit DD is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00163967-72.

32. Attached hereto as Exhibit EE is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00164445-48.

33. Attached hereto as Exhibit FF is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00157646-47.

34. Attached hereto as Exhibit GG is a true and correct copy of a document produced by the Prospect Defendants during discovery bearing Bates stamps KIM00157411-13.

35. Attached hereto as Exhibit HH is a true and correct copy of a document produced by Plaintiff during discovery bearing Bates stamps LF272327-31.

36. Attached hereto as Exhibit II is a true and correct copy of a document produced by Plaintiff during discovery bearing Bates stamps LF272314-19.

37. Attached hereto as Exhibit JJ is a true and correct copy of a document produced by Plaintiff during discovery bearing Bates stamps LF272298-99. A non-redacted version of Exhibit JJ has been filed under seal.

38. Attached hereto as Exhibit KK is a true and correct copy of a document produced by Plaintiff during discovery bearing Bates stamps LF267084-92. A non-redacted version of Exhibit KK has been filed under seal.

39. Attached hereto as Exhibit LL is a true and correct copy of a document produced by Plaintiff during discovery bearing Bates stamps LF266719-7022. A non-redacted version of Exhibit LL has been filed under seal.

40. Attached hereto as Exhibit MM is a true and correct copy of a document produced by Plaintiff during discovery bearing Bates stamps LF267673-79. A non-redacted version of Exhibit MM has been filed under seal.

41. Attached hereto as Exhibit NN is a true and correct copy of a document produced by Plaintiff during discovery bearing Bates stamps LF267829.

42. Exhibit OO intentionally omitted.

43. Attached hereto as Exhibit PP are true and correct excerpts of Emily Sylvan Kim's deposition transcript, which was taken on March 16, 2023 in connection with this action.

44. Attached hereto as Exhibit QQ are true and correct excerpts of Lynne Freeman's deposition transcript, which was taken on March 24, 2023 in connection with this action.

45. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: December 22, 2023
New York, New York



Lacy H. Koonce, III